

REMARKS

The present invention relates to a battery separator.

In the Office Action of October 10, 2006, claims 1, 5 - 9, 12 - 14, 17 - 22, 24 - 26, 28 - 33, 35 - 37, 40, 42, and 44 were rejected under 35 U.S.C. § 103(a) based on JP 2000-160432 (Aikawa et al). Furthermore, claims 15, 27, and 38 were rejected based on Aikawa et al in view of EP 834 938 (Tanaka).

In order to clarify the nature of the present invention *vis-a-vis* the cited prior art, and noting that the various embodiments of the present invention have distinctive features, *vis-a-vis* the prior art, the rejected claims have hereinabove been cancelled, and new claims 45 - 72 have been added, with independent claims 45 and 59 being directed to an embodiment (a), independent claims 46 and 60 being directed to an embodiment (b), and independent claims 47 and 61 being directed to an embodiment (c), with additional dependent claims directed to various further preferred embodiments.

The general relationship between the old claims and the new claims is indicated in the Table below.

Table

New claims	Old claims
45	1 [Embodiment (a)]
46	1 [Embodiment (b)]
47	1 [Embodiment (c)]
48-49 (¹ *1)	5 (with fusible fibers)
50-52	8 (fiber diameter; 5 times or more)
53-55	9 (fiber length; 2.5 times or more)
56-58	12 (maximum pore size; 40 pm or less)
59	17 [Embodiment (a)]
60	17 [Embodiment (b)]
61	17 [Embodiment (c)]
62-63 (*1)	18 (old claim 5)
64-66	21 (old claim 8)
67-69	22 (old claim 9)
70-72	24 (e old claim 12)

In accordance with the new claims, the fiber length of the high-modulus fibers is limited in the embodiment (b), but is not limited in the embodiments (a) and (c).

Response to Rejections under 35 U.S.C. §103(a)

With respect to Embodiment (a) (see particularly new independent claims 45 and 59), while JP 2000-160432 (Aikawa et al) teaches that polyethylene, polypropylene, or polymethylpentene fibers may be contained therein, Aikawa et al but does not disclose or suggest the use of ultra-high-molecular-weight polyethylene.

¹ [*] With respect to the embodiment (c), a dependent claim limited to the feature as set forth in old claim 5 (or old claim 18) is not necessary, because the "high-modulus fiber composed of high-crystalline polypropylene and having a surface of a polyethylene-based resin" *per se* functions as a fusible fiber.]

With respect to Embodiment (b) (see particularly new independent claims 46 and 60), while Aikawa et al teaches that polyethylene, polypropylene, or polymethylpentene fibers may be contained therein, Aikawa et al does not disclose or suggest the use of high-crystalline polypropylene.

With respect to Embodiment (c) (see particularly, new claims 47 and 61), Aikawa et al simply does not disclose or suggest the use of high-modulus composite fibers composed of high-crystalline polypropylene and having a surface of a polyethylene-based resin.

In view of the above, reconsideration and allowance of now pending claims 45 - 72 of this application are now believed to be in order, and such actions are hereby earnestly solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the local Washington, D.C. telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 09/924,546

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

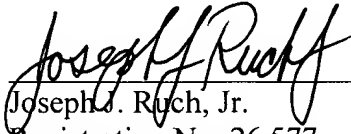
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